



TRW
Docket No.: 202863US90



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

RE: Application Serial No.: 09/780,501

Applicants: Sadayuki ABETA, et al.

Filing Date: February 12, 2001

For: MULTI-CARRIER CDMA RADIO TRANSMITTING
METHOD AND APPARATUS, AND CHANNEL
ESTIMATION METHOD AND APPARATUS FOR
MULTI-CARRIER CDMA RADIO TRANSMITTING
SYSTEM

Group Art Unit: 2665

Examiner: Justin M. Philpott

SIR:

Attached hereto for filing are the following papers:

Provisional Election

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

SADAYUKI ABETA, ET AL.

: EXAMINER: JUSTIN M. PHILPOTT

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PROVISIONAL ELECTION

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SIR:

In response to the Restriction Requirement dated September 14, 2005, Applicants provisionally elect, with traverse, Claims 141 (Group I) for examination on the merits in the present Application. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on